

Senate File 130 - Enrolled

Senate File 130

AN ACT

RELATING TO PUBLIC FUNDING AND REGULATORY MATTERS AND MAKING, REDUCING, TRANSFERRING, AND SUPPLEMENTING APPROPRIATIONS FOR EXPENDITURES IN THE FISCAL YEAR BEGINNING JULY 1, 2016, AND INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

APPROPRIATION REDUCTIONS

Section 1. EXECUTIVE BRANCH APPROPRIATION REDUCTIONS.

1. For the period beginning on the effective date of this section and ending on June 30, 2017, the following departments, agencies, and entities, and the judicial branch are subject to a reduction in expenditures made from appropriations from the general fund in the following amounts:

- a. Department of administrative services
..... \$ 262,226
- b. Department of human rights
..... \$ 87,571
- c. Department of inspections and appeals
..... \$ 300,000

In identifying and implementing the reduction pursuant to this paragraph, the director of the department shall be authorized to make allocations between department divisions in the manner and to the extent as the director determines appropriate, in consultation with the department of management.

d. Public information board	\$ 75,000
e. Department of revenue	\$ 1,200,000
f. Department of agriculture and land stewardship	\$ 400,000
g. Department of natural resources	\$ 1,300,000
h. Department of cultural affairs	\$ 210,958
i. Iowa economic development authority	\$ 700,000
j. Iowa workforce development	\$ 500,000
k. College student aid commission	\$ 390,984
l. Department of education	\$ 4,527,270
m. Iowa public television	\$ 200,000
n. Community colleges	\$ 3,000,000
o. State university of Iowa	\$ 8,000,000
p. Iowa state university of science and technology	\$ 8,000,000
q. University of northern Iowa	\$ 2,000,000
r. Department on aging	\$ 400,000
s. Department of public health	\$ 2,000,000
t. Department of human services	\$ 3,826,536
u. Iowa veterans home	\$ 200,000
v. Department of justice	\$ 598,425
w. Department of corrections	

.....	\$ 5,500,000
x. Judicial branch	
.....	\$ 3,000,000
y. Department of public safety	
.....	\$ 1,000,000
z. State public defender	
.....	\$ 457,481
aa. Department of public defense	
.....	\$ 241,096

2. The department of management, in consultation with the departments, agencies, and entities, and the judicial branch listed in subsection 1, shall identify and implement the reductions in subsection 1 with respect to the appropriate general fund appropriations. Within fifteen days of the effective date of this section, the department of management shall transmit a report to the general assembly and legislative services agency listing the appropriation reductions applied.

3. Notwithstanding section 8.62, the departments, agencies, and entities, and the judicial branch reducing expenditures pursuant to subsection 1 may use moneys received for training and technology for the fiscal year beginning July 1, 2016, to implement such reductions.

4. In order to implement the reductions in subsection 1, the departments, agencies, and entities, and the judicial branch may adjust allocations made from appropriations that are being reduced.

5. In order to implement the reductions in subsection 1, the department of management may reduce a standing appropriation to a department, agency, or entity required to reduce expenditures pursuant to subsection 1.

DIVISION II

SUPPLEMENTAL APPROPRIATION

Sec. 2. INDIGENT DEFENSE. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary to supplement appropriations made for the following designated

purpose:

For payments on behalf of eligible adults and juveniles from the indigent defense fund in accordance with section 815.11:

..... \$ 4,300,000

DIVISION III

MISCELLANEOUS TRANSFERS AND ALLOCATIONS

Sec. 3. TRANSFERS.

1. For the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts shall be transferred from the identified funds to the general fund of the state:

a. From the Iowa cultural trust fund established in section 303A.4, notwithstanding section 303A.4, subsection 4, paragraph "a":

..... \$ 6,135,000

b. From the strategic investment fund established in section 15.313:

..... \$ 1,000,000

c. From the innovation and commercialization development fund established in section 15.412:

..... \$ 2,000,000

d. From the economic development energy projects fund established under section 15.106A, subsection 1, paragraph "o":

..... \$ 2,000,000

e. From the grow Iowa values fund established under section 15.106A, subsection 1, paragraph "o":

..... \$ 12,000,000

f. From the federal economic stimulus and jobs holding fund created by 2004 Iowa Acts, First Extraordinary Session, chapter 1002, section 2:

..... \$ 2,000,000

2. The transfers required by this section shall be made on the effective date of this section.

Sec. 4. OPEN SPACES ACCOUNT — PARK MAINTENANCE. Of the Iowa resources enhancement and protection fund moneys allocated to the open spaces account pursuant to section 455A.19, subsection 1, paragraph a, subparagraph (1), \$1,000,000 shall be used for state park maintenance from the

effective date of this section through the close of the fiscal year ending June 30, 2017.

Sec. 5. IOWA VETERANS HOME CARRYOVER SURPLUS — TRANSFER. Notwithstanding section 35D.18, subsection 5, from any moneys that remain unencumbered or unobligated from amounts appropriated for the fiscal year beginning July 1, 2015, and ending June 30, 2016, \$350,195 is transferred to the college student aid commission for purposes of the national guard educational assistance program established in section 261.86.

DIVISION IV

MISCELLANEOUS REDUCTIONS, REALLOCATIONS, AND ADJUSTMENTS TO HEALTH AND HUMAN SERVICES-RELATED APPROPRIATIONS

Sec. 6. 2015 Iowa Acts, chapter 137, section 126, subsections 1, 4, 6, and 12, as amended by 2016 Iowa Acts, chapter 1139, section 6, are amended to read as follows:

1. To be credited to the family investment program account and used for assistance under the family investment program under [chapter 239B](#):

.....	\$ 5,112,462
	<u>15,112,462</u>

4. For field operations:

.....	\$ 35,774,331
	<u>38,774,331</u>

6. For state child care assistance:

.....	\$ 46,866,826
	<u>49,866,826</u>

a. Of the funds appropriated in this subsection, \$26,328,097 is transferred to the child care and development block grant appropriation made by the Eighty-sixth General Assembly, 2016 Session, for the federal fiscal year beginning October 1, 2016, and ending September 30, 2017. Of this amount, \$200,000 shall be used for provision of educational opportunities to registered child care home providers in order to improve services and programs offered by this category of providers and to increase the number of providers. The department may contract with institutions of higher education or child care resource and referral centers to provide the educational opportunities. Allowable administrative

costs under the contracts shall not exceed 5 percent. The application for a grant shall not exceed two pages in length.

b. Any funds appropriated in this subsection remaining unallocated shall be used for state child care assistance payments for families who are employed including but not limited to individuals enrolled in the family investment program.

12. For the family investment program share of the costs to continue to develop and maintain a new, integrated eligibility determination system:

..... \$ 5,654,880
0

Sec. 7. 2015 Iowa Acts, chapter 137, section 128, unnumbered paragraphs 1 and 2, as amended by 2016 Iowa Acts, chapter 1139, section 8, are amended to read as follows:

There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To be credited to the family investment program (FIP) account and used for family investment program assistance under [chapter 239B](#):

..... \$ 48,673,875
36,600,196

Sec. 8. 2015 Iowa Acts, chapter 137, section 132, unnumbered paragraph 2, as amended by 2016 Iowa Acts, chapter 1139, section 10, is amended to read as follows:

For medical assistance program reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2016, except as otherwise expressly authorized by law, consistent with options under federal law and regulations, and contingent upon receipt of approval from the office of the governor of reimbursement for each abortion performed under the program:

..... \$ 1,318,246,446
1,304,390,737

Sec. 9. 2015 Iowa Acts, chapter 137, section 132, subsection 12, paragraph a, unnumbered paragraph 1, as amended

by 2016 Iowa Acts, chapter 1139, section 10, is amended to read as follows:

~~Of the funds appropriated in this section, \$3,000,000 is allocated for the state match for a disproportionate share hospital payment of \$6,861,848 to~~ The hospitals that meet both of the conditions specified in subparagraphs (1) and (2). ~~In addition, the hospitals that meet the conditions specified shall either certify public expenditures or transfer to the medical assistance program an amount equal to provide the nonfederal share for a disproportionate share hospital payment of \$19,771,582~~ \$26,633,430. The hospitals that meet the conditions specified shall receive and retain 100 percent of the total disproportionate share hospital payment of \$26,633,430.

Sec. 10. 2015 Iowa Acts, chapter 137, section 132, subsection 21, as amended by 2016 Iowa Acts, chapter 1139, section 10, is amended to read as follows:

21. Of the funds appropriated in this section, ~~\$250,000~~ \$100,000 shall be used for lodging expenses associated with care provided at the university of Iowa hospitals and clinics for patients with cancer whose travel distance is 30 miles or more and whose income is at or below 200 percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services. The department of human services shall establish the maximum number of overnight stays and the maximum rate reimbursed for overnight lodging, which may be based on the state employee rate established by the department of administrative services. The funds allocated in this subsection shall not be used as nonfederal share matching funds.

Sec. 11. 2015 Iowa Acts, chapter 137, section 134, subsection 1, as amended by 2016 Iowa Acts, chapter 1139, section 12, is amended to read as follows:

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the state supplementary assistance program:

..... \$ ~~11,611,442~~
10,722,135

Sec. 12. 2015 Iowa Acts, chapter 137, section 135, subsection 1, as amended by 2016 Iowa Acts, chapter 1139, section 13, is amended to read as follows:

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintenance of the healthy and well kids in Iowa (hawk-i) program pursuant to chapter 514I, including supplemental dental services, for receipt of federal financial participation under Tit. XXI of the federal Social Security Act, which creates the children's health insurance program:

..... \$ ~~9,176,652~~
9,435,831

Sec. 13. 2015 Iowa Acts, chapter 137, section 136, unnumbered paragraph 2, as amended by 2016 Iowa Acts, chapter 1139, section 14, is amended to read as follows:

For child care programs:

..... \$ ~~36,389,561~~
33,389,561

Sec. 14. 2015 Iowa Acts, chapter 137, section 143, as amended by 2016 Iowa Acts, chapter 1139, section 20, is amended to read as follows:

SEC. 143. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For operation of the state mental health institute at Cherokee as required by chapters 218 and 226 for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ ~~14,644,041~~
14,658,594

..... FTEs 169.20

2. For operation of the state mental health institute at Independence as required by chapters 218 and 226 for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ ~~18,552,103~~
18,589,015

..... FTEs 233.00

Sec. 15. 2015 Iowa Acts, chapter 137, section 145, subsection 1, as amended by 2016 Iowa Acts, chapter 1139, section 22, is amended to read as follows:

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For costs associated with the commitment and treatment of sexually violent predators in the unit located at the state mental health institute at Cherokee, including costs of legal services and other associated costs, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ ~~10,193,079~~
10,671,957

..... FTEs 132.50

Sec. 16. 2015 Iowa Acts, chapter 137, section 146, subsection 1, unnumbered paragraph 2, as amended by 2016 Iowa Acts, chapter 1139, section 23, is amended to read as follows:

For field operations, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ ~~54,442,877~~
51,442,877

..... FTEs 1,837.00

Sec. 17. AUTISM SUPPORT FUND — TRANSFER.
 Notwithstanding section 225D.2, for the fiscal year beginning July 1, 2016, and ending June 30, 2017, of the \$2,000,000 credited to the autism support fund, \$1,100,000 is transferred to the department of human services to supplement the

appropriation in 2015 Iowa Acts, chapter 137, section 143, as amended by 2016 Iowa Acts, chapter 1139, section 20, for the state mental health institute at Independence, for the fiscal year beginning July 1, 2016, and ending June 30, 2017.

DIVISION V

MISCELLANEOUS REDUCTIONS

Sec. 18. OPERATIONAL EXPENDITURE REDUCTIONS. The amounts appropriated from the general fund of the state to the departments and establishments of the executive branch, as defined in section 8.2, for operational purposes in enactments made for the fiscal year beginning July 1, 2016, and ending June 30, 2017, are reduced by \$11,500,000 for the period beginning on the effective date of this section and ending on June 30, 2017. For purposes of this section, "operational purposes" include but are not limited to state agency office supplies, outside services purchases, equipment purchases, printing and binding, information technology, marketing, and state employee travel. Operational expenses may also include a moratorium on filling vacant or newly created positions of employment for the period beginning March 1, 2017, and ending June 30, 2017. The reductions to operational appropriations required by this section shall be applied by the department of management in consultation with each department. The department shall submit a report to the general assembly and the legislative services agency regarding anticipated reductions for operational purposes within thirty days of the effective date of this section.

Sec. 19. LEGISLATORS' PER DIEM FOR THE 2017 REGULAR SESSION. Notwithstanding section 2.10, subsection 1, to the contrary, members of the Eighty-seventh General Assembly shall be limited to the receipt of a per diem for expenses of office for the First Regular Session convening in 2017 for a maximum of one hundred calendar days rather than one hundred ten calendar days.

Sec. 20. GENERAL ASSEMBLY AND LEGISLATIVE STAFF TRAVEL. For the period beginning on the effective date of this section through the close of the fiscal year ending on June 30, 2017, costs for out-of-state travel and per diems for out-of-state travel for members of the general assembly,

and costs for out-of-state travel for general assembly staff members, shall not be paid from moneys appropriated pursuant to section 2.12.

Sec. 21. 2015 Iowa Acts, chapter 138, section 5A, subsection 1, as enacted by 2016 Iowa Acts, chapter 1138, section 2, is amended to read as follows:

1. The appropriations made pursuant to section 2.12 for the expenses of the general assembly and legislative agencies for the fiscal year beginning July 1, 2016, and ending June 30, 2017, are reduced by the following amount:

..... \$ 5,400,000
6,000,000

DIVISION VI

EFFECTIVE DATE PROVISIONS

Sec. 22. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.

JACK WHITVER
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 130, Eighty-seventh General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2017

TERRY E. BRANSTAD
Governor